

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Anvik Corporation,

Plaintiff,

v.

IPS Alpha Technology, Ltd.,
Toshiba Corporation,
Toshiba America, Inc.,
Toshiba America Consumer Products,
L.L.C.,
Matsushita Electric Industrial Co., Ltd.,
Panasonic Corporation of North America,
Hitachi, Ltd.,
Hitachi Displays, Ltd.,
Hitachi America, Ltd., and
Hitachi Electronic Devices USA, Inc.

Defendants.

Civil Action No. 08cv4036 (SCR) (LMS)

ECF CASE

MOTION FOR SUBSTITUTION OF LEAD ATTORNEY OF RECORD

Pursuant to Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Jonathan Hudis, a member in good standing of the Bar of this Court, hereby move for Arthur I. Neustadt to be substituted as lead attorney of record for defendants Toshiba Corporation, Toshiba America, Inc. and Toshiba America Consumer Products, L.L.C. in this action.

A Declaration, proposed Order, and Certificate of Service accompany this motion.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

OF COUNSEL:

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Dated: August 26, 2008

By: s/
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Consumer Products, L.L.C.*

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**DECLARATION OF JONATHAN HUDIS IN SUPPORT OF MOTION
FOR SUBSTITUTION OF LEAD ATTORNEY OF RECORD FOR
DEFENDANTS TOSHIBA CORPORATION, TOSHIBA AMERICA, INC. AND
TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.**

I, JONATHAN HUDIS, declare:

1. I am a member of Oblon, Spivak, McClelland, Maier & Neustadt, P.C., counsel for defendants Toshiba Corporation, Toshiba America, Inc. and Toshiba America Consumer Products, L.L.C., (collectively “Toshiba”) in the above action. I am familiar with the proceedings in this case. I submit this Declaration based on my personal knowledge of the facts set forth herein and in support of the Toshiba defendants’ motion to substitute Arthur I. Neustadt as the Toshiba defendants’ lead attorney of record in this action.

2. I am a member in good standing of the Bar of the State of New York, having been admitted to practice law in New York in 1988. I was admitted to the Bar of the United States District Court for the Southern District of New York on February 16, 1988, and presently am in good standing with this Court.

3. I have known Arthur I. Neustadt since 1994. He is a member of Oblon, Spivak, McClelland, Maier & Neustadt, P.C., in Alexandria, Virginia. By Order of this Court on August 21, 2008, Mr. Neustadt was admitted *pro hac vice* to represent the Toshiba defendants in this matter. Mr. Neustadt also has obtained a CM/ECF user name and password for electronic filings with, and to receive electronic notices from, this Court.

4. Arthur I. Neustadt is a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure. He has over 30 years of experience in the litigation of patent infringement matters before the United States courts.

5. Additionally, Mr. Neustadt has the most familiarity with the facts and legal issues in this matter, has had the most contact with representatives of the Toshiba defendants regarding this matter, and if this matter proceeds to trial he is expected to be lead trial counsel.

WHEREFORE, I respectfully request that the motion to substitute Arthur I. Neustadt as lead counsel for the Toshiba defendants in the captioned matter be granted.

I DECLARE, under the penalty of perjury, that the foregoing is true and correct.

Dated: August 26, 2008
Alexandria, Virginia

s/
Jonathan Hudis (JH-1993)

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**(PROPOSED) ORDER FOR SUBSTITUTION
OF LEAD ATTORNEY OF RECORD**

Upon the motion of Jonathan Hudis, attorney for Toshiba Corporation, Toshiba America, Inc. and Toshiba America Consumer Products, L.L.C. (collectively "Toshiba") said Declaration in support, and good cause appearing:

IT IS HEREBY ORDERED that Arthur I. Neustadt is substituted as lead attorney of record for the Toshiba defendants in the captioned action.

Dated: _____
White Plains, New York

Hon. Stephen C. Robinson
United States District Court Judge

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CERTIFICATE OF SERVICE

Except as indicated, I hereby certify that on August 26, 2008, I electronically filed the foregoing papers with the Clerk of the Court using the ECF System which will send notification of the following documents: **Motion for Substitution of Lead Attorney of Record, Declaration of Jonathan Hudis in Support of Motion for Substitution of Lead Attorney of Record, (Proposed) Order for Substitution of Attorney of Lead Record** and this **Certificate of Service** to the following counsel via the Court's ECF Notification System and by E-mail:

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